

CHAPTER 519.

[Published April 29, 1865.]

AN ACT to incorporate the village of Juneau.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows :

SECTION 1. All that district of country described as follows, to wit: The south half of the northeast quarter, the east half of the southeast quarter, and the east quarter of the west half of the southeast quarter of section number twenty-one (21,) and the southwest quarter and the south half of the northwest quarter of section number twenty-two (22,) all in township number eleven (11) north, of range number fifteen (15) east of the fourth principal meridian, and being in the town of Oak Grove, in the county of Dodge, shall be hereafter known and distinguished by the name of "the village of Juneau," and the inhabitants residing or who may hereafter reside within said limits, are hereby constituted a body corporate, by the name of the "trustees of the village of Juneau," and by that name they and their successors forever hereafter shall and may have perpetual succession, and shall be persons in law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in all courts and places, and in all suits whatsoever.

Boundaries.

Name and powers.

SECTION 2. On the first Monday of May, A. D. 1865, the first village election under this act shall be held at the court house, in said village, commencing at ten o'clock A. M., and continuing until four o'clock P. M. The qualified electors of said village, present at the place of holding said election at 10 o'clock A. M. of said day, shall choose three of their number, who shall constitute the inspectors of such election. One of said inspectors shall be designated to preside at said election, and another as clerk thereof; and the qualified electors of said village may thereupon proceed to vote by ballot for officers of said village.

First election.

SECTION 3. The elective officers of said village shall consist of a president and treasurer, who shall be *ex officio* trustees, and three other trustees, all of whom shall be elected annually on the first Monday in May,

Elective and appointive officers.

and hold their offices for one year, and until their successors are qualified. The board of trustees may at any meeting thereof, appoint a clerk of said village, whose duties shall be prescribed by said board. They shall also have power to remove the clerk from office. No person shall be eligible to any elective office in said village, unless he shall be at the time of his election an elector and freeholder in said village.

Board of trustees.

SECTION 4. The exercise of the corporate powers and management of the fiscal and municipal concerns of said village, shall be vested in the board of trustees thereof.

Regular and special meetings.

SECTION 5. The regular meetings of the board of trustees shall be held on the first Monday in each of the months of May, August, November and February. Special meetings shall be had upon the call of the president or of any three of the trustees, upon written notice thereof being served upon each of the trustees not signing said call, not less than one and not more than six days prior to the time fixed for said meeting, or in case of the absence of any of the trustees, by leaving such notice at his residence, with some suitable person. Three of the trustees shall constitute a quorum at any regular or special meeting thereof, but no measure shall be deemed carried, unless it shall have three affirmative votes. A full record of the proceedings of every meeting of the board of trustees, shall be kept by the clerk in a book to be provided for that purpose, which shall be known as the "trustees' journal."

Record of proceedings.

Street improvements—superintendent.

SECTION 6. The board of trustees may at any regular or special meeting thereof, by ordinance, regulate the improvement and construction of sidewalks, street crossings, streets and highways in said village, and appoint a street superintendent, and prescribe his duties, and may remove him at pleasure. Said superintendent shall exercise a supervisory control over all improvements upon the streets and highways, within the limits of said village. Said board may also levy a tax upon the taxable property of said village, not exceeding in any year one per centum upon the assessed value thereof, for the improvement of streets and highways, and the improvement or construction of street crossings therein; and may also by ordinance require the owner of any land therein, bordering upon any street or highway therein, to construct sidewalk along said land,

Tax for street improvements.

and determine the manner in which the same shall be done; and if said owner shall not construct the same within thirty days after said ordinance shall take effect, the same may be constructed under such regulations as the board of trustees shall have provided in said ordinance, and the cost thereof shall be a tax and lien upon said land, and shall be collected upon the next tax roll, in the same manner as other village taxes upon said land.

SECTION 7. The president shall preside at all meetings of the trustees, or in his absence from any such meeting, a presiding officer may be chosen *pro tempore*. He shall also preside at village elections, and the clerk of said village shall be clerk of such elections: *provided*, that in case of the absence of the president, the electors present at the opening of the polls, may designate any trustee of said village to preside at said election; and in case of the absence of the clerk, said electors may designate any elector of said village to act as clerk of said election. The trustees, or any three of them, shall constitute the inspectors of election, but in case there shall not be three of the trustees present at the opening of the polls, then the electors present may designate as many of their own number to act as inspectors of said election, as shall be sufficient with the trustee or trustees present, if any, to make three inspectors. And said inspectors and clerk, before entering upon the discharge of their duties as such, at any election, shall severally take an oath faithfully to discharge their respective duties, according to law; and all general laws now in force or hereafter enacted concerning elections, and not inconsistent with the provisions of this act, are hereby declared applicable to village elections held under the provisions of this act.

SECTION 8. The board of trustees shall determine the amount and form of bonds to be furnished by the treasurer, and no warrant for the collection of any taxes shall be placed in his hands until his bond shall have been approved by the board and filed with the clerk. They may also at any time require him to give additional bonds. No money shall be disbursed by the treasurer except upon an order therefor, signed by the clerk and countersigned by the president; and no such order shall be issued, except in pursuance of a vote of the trustees at a regular or special meeting thereof,

had by ayes and noes, which shall be entered and remain of record in the trustees' journal.

Duties and powers of treasurer.

SECTION 9. The treasurer of said village shall be the custodian of the funds thereof, shall collect all village taxes assessed therein, and for that purpose shall have the same powers in the collection of village taxes as are or may be by law conferred upon town treasurers in the collection of other taxes, and shall make return of unpaid taxes in the same manner and with the same effect as is or may be provided by law in relation to returns by town treasurers for non-payment of taxes, and shall be entitled to collect and receive as his fees therefor, one-half the compensation which is or may be by law provided in regard to town treasurers. And all general laws relating to the assessment and collection of taxes, the sale and redemption of lands for non-payment thereof, and the voting and raising money by tax to pay bounties to persons entering or furnishing substitutes in the military service of the United States or of this state, shall, so far as they are not inconsistent with the provisions of this act, apply to said village. All state, county, town, school and other taxes upon the property situated in said village, except the village taxes herein authorized, shall be assessed and collected in the same manner as though this act had not been passed: *provided*, that whenever the electors of said village shall have voted to raise by tax a sum of money sufficient to pay the sum of two hundred dollars to each of a sufficient number of men to fill the quota of said village, under the then pending call of the president of the United States for volunteers in the military service, then and in that case no tax thereafter voted by the town of Oak Grove for the purpose of filling the quota of said town, under said call, shall be levied upon any property taxable, to raise said village bounty, nor shall any elector residing in said village be entitled to vote upon the question of raising said town tax.

Application of statutes.

Collection of state, county and other taxes.

Bounty taxes.

Levy and collection of taxes.

SECTION 10. Whenever the board of trustees shall determine to raise a village tax for any of the purposes authorized by the provisions of this act, it shall be the duty of the village clerk to copy from the then last assessment roll of the said town of Oak Grove, the description, names of owners and valuation of each lot and piece of real estate situated within the limits of said

village, and also the valuation and names of owners of all personal property belonging to residents of said village; and in case any land within said village shall not upon the assessment roll of said town be valued separately, but only as a portion of a larger tract of land, then it shall be the duty of the board of trustees to fix a just valuation thereon, and the clerk shall thereupon, under the supervision of the board of trustees, make an assessment roll for said village, in which shall be entered the said names, descriptions and valuations, as the same shall have been ascertained as aforesaid, and shall thereon apportion and carry out the amount of tax levied by such board, and the written warrant thereon of the president and clerk of said village, directing the collection of the taxes therein carried out, shall be sufficient authority for the collection thereof by the treasurer of said village.

SECTION 11. The trustees of said village, or any three of them, shall have exclusive authority to license theatrical exhibitions and other public shows in said village, and the moneys received therefor shall be paid to the treasurer of and shall belong to said village.

Licenses.

SECTION 12. All officers of said village shall, before entering upon the discharge of their official duties, take and subscribe an oath, which shall be filed with the clerk thereof, to support the constitution of the United States and of the state of Wisconsin, and faithfully to discharge the duties of their respective offices according to law; and no elective officer of said village, excepting the treasurer thereof, shall be entitled to any compensation for his official services; and no ordinance of said village shall take effect until ten days after written or printed copies thereof, attested by the president and clerk, shall have been posted in three public and conspicuous places in said village.

Oaths of office.

Treasurer only entitled to compensation.

When ordinances to take effect.

SECTION 13. In case of the death, resignation or removal from said village of the president or treasurer thereof, the board of trustees may choose one of their own number to fill the vacancy so created, until a successor shall be elected and qualified. Special village meetings or elections shall be called upon the like request and notice as is or may be provided by law in relation to special town meetings.

Vacancies

SECTION 2. This act shall take effect from and after its passage and publication.

Approved April 10, 1865.

CHAPTER 520.

[Published April 27, 1865.]

AN ACT giving to purchasers of state lands certain rights against trespassers.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Holder of patent to state lands, acquires right to timber, &c. and may sue for trespasses on same.

SECTION 1. Any person who shall hereafter enter and receive a patent for any school, university, swamp or other state land, shall thereby also acquire the right to all timber, lumber, trees, wood, bark, stone, earth, mineral or other materials cut upon or removed from such land before the issue of such patent, unless the same shall have been cut or removed with the assent of the proper state authorities, or sold by the state; and he may seize, sue for and recover such materials, as if the same had been cut or removed from such land after the issue of such patent. The person so obtaining a patent, may also bring an action for any trespass upon or other injury to such lands, committed before such patent shall issue, against the person or persons committing such trespass or other injury, in the manner and with like effect, and he shall be entitled to like damages, as if such trespass or other injury had been committed after the patent had issued: *provided*, that any such purchaser of land previously reported to the commissioners of school and university land as trespassed upon, shall pay in addition to the price thereof, the penalty of fifty per cent. fixed by chapter 233, general laws of 1864, and thereupon any material seized shall be released to him; *and provided, further*, that no such purchase and nothing in this act contained, shall affect the liability of any person to punishment for

Payment of penalty and release of materials.

Liability to punishment not affected.